

ORIGINAL

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIAJUKEN WASHINGTON GORDON,
Plaintiff

Vs.,

N. GONZALEZ, et al.,
Defendants:
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CIVIL NO. 1:CV-01-0331

(Judge Rambo)

FILED
HARRISBURG, PA

JUN 29 2001

SWORN AFFIDAVIT BY JUKEN WASHINGTON GORDON MARY E. D'ANDREA, CL
IN SUPPORT OF MOTION OPPOSING TO DEFENDANTS MOTION TO Per 9/18
TO DISMISS OR SUMMARY JUDGMENT. Deputy Clerk

I Juken Washington Gordon hereby states the following facts:

1. On september 9, 2000. I was incarcerated at USP Lewisburg, and house in (J) unit, I then proceed to the mess hall on the morning of september 9, 2000.
2. When I arrived at the mess hall door I saw Lt. Gonzalez and Officer Puckey, I then asked Lt. Gonzales if I can go inside to which he stated no. I then asked office officer Puckey same question to which both officers stated no, "Fuck you Nigga". I then look inside the mess hall to see if the line was close, but the line was still open and about 25 to 30 inmates standing in line waiting to be served their food.
3. I then turn and walking in the direction toward the grill when I notice a spanish inmate walk pass me going toward the mess hall. I stop and look back behind me, the spanish inmate went to

Lt. Gonzalez, and said something and I saw the spanish inmate go into the mess hall, I then asked Lt. Gonzalez why he denied me from go into the mess hall to eat, and let the spanish inmate into the mess hall to eat. I asked you to allowed me in the mess hall to get something to ate. Lt. Gonzalez and officer Puckey then stated "Fuck you Nigga; you think you some tuff ass "Nigga".

4. I start heading in the direction of what inmates reffered to as cell side, Lt. Gonzalez was going across the corridor heading in the direction towards the inmates acoount machine, when Lt. gonzalez ordered officer Puckey to take me to the Lts. office.

5. When I and officer Puckey got to the Lts. office still out side of the Lts. office, officer Puckey order me to placed my hands on the wall, I complied with order. This can seen on surva-lance video tape, I did not pull away and try to assault Lt. Gon-zalez or any one of (BOP Staff).

Then officer Puckey order me to go inside the Lts. office with him, again officer Puckey order me to placed my hands on the wall, I did and my "legs Sweep" away from under me and both offi-cers started kicking and punching me while I was on the floor.

6. Lt. Gonzalez and officer Puckey Physical assault me and make death threat to me saying we are going to kill you "Nigga". Then they called for back-up, B. Shuman, J.A. Candelora, G. Shuck, and other unknown officers ran into the Lts. office and jump on my back. then take me to SHU by holding me in air.

7. I was then transfer on november 8, 2000 from USP Lewisburg to USP Allenwood, on december 19, 2000 I was then placed on call-out

to see Dr. Reish and he was present with an "Audio Tape Recorder" at the meeting and examination interview. Dr. Reish use the audio as evidence to record my statement that he took from me. I avers that I told Dr. Reish the episode that cause damage to my back, I specifically informed Dr. Reish that my back was damage from police officers at USP Lewisburg. That Police sweep away my legs from under me at USP Lewisburg, and jump down on my back. September 9, 2000. Prior to september 9, 2000 I felt no pain in my back, it was after that incident I started feeling all this pain and discomfort in my back. I did not speak to Dr. Reish about any lingering pain in my back. Dr. Reish also present two (2) X-Ray Films and point to the area of were he see disc bulged cause by BOP officials. I avers that this "Court" should ask Dr. Reish to produce the Audio "Tape Recorder".

8. I further avers that the prison officials at USP Lewisburg stated herein, use intentionally maliciously and sadistically use physical force to cause harm. When no force was needed, when I did not attempt to harm any BOP officials or refused an order, of BOP rules on september 9, 2000.

9. I hereby state under the penalty of perjury pursuant to U.S.C. § 1746 and according to constitution and law that the above is true and correct to the best of my knowledge and recollection.

Dated: 27th, 2001 June.

Respectfully Submitted

By Juhen W. Gordon
 Juhen W. Gordon Pro-se
 Reg No. 05373-088
 USP Allenwood
 Post Office Box 3000
 White Deer, PA. 17887.

cc: Filed J.W.Gordon.
 Clerk, M.D.C. Pa.

CERTIFICATE OF SERVICE

I, Juken Washington Gordon Hereby being duly sworn Pursuant to U.S.C. § 1746 and according to law, hereby depose and say:

1. I am a prisoner at USP Allenwood, White Deer, Pennsylvania.
2. On the 27th day of June 2001, I placed two (2) copies of the Pleading(s) in an envelope addressed to the following party/parties: Clerk's Office United States District Court 228 Walnut Street P.O. Box 983 Harrisburg, Pennsylvania 17108. And Martin C. Carlson U.S. Attorney 228 Walnut Street, 2nd Floor Harrisburg, Pennsylvania 17108.
3. I then affixed sufficient postage to cover first-class U.S. Mail delivery, and then give the package to prison officials at USP Allenwood to placed in Legal Mail Box sent to the parties addressed stated herein obvoe.

Sign under the penalty and pain of perjury on this 27th day of June 2001.

ss/ Juken Gordon
Pro-se Reg No. 05373-088
USP Allenwood
Post Office Box 3000
White Deer, PA. 17887.

J.W.Gordon
Clerk, M.D.C. Pa.